

§ 103 REJECTIONS

a. The Examiner has rejected claims 1-7 under 35 USC 103(a) as being unpatentable over U.S. Patent No. 5,646,525 to Gilboa in view of U.S. Patent No. 3,996,590 to Hammack.

As noted in Applicants' specification and claims, Applicants' invention uses a plurality of magnetic field transmitters and determines position, velocity and acceleration of an object using magnetic field currents. Hammack, used by the Examiner in combination with Gilboa to reject claims 1-7, has nothing to do with magnetic fields and everything to do with the use of doppler to measure position (see col. 5, lines 45-48). In fact, the Examiner's cite to Hammack's specification, i.e., col. 20 lines 39-41, for the use of a plurality of magnetic field transmitters in this rejection is to an embodiment for a space track system to detect the presence of a space vehicle with the system having a coverage of an area 1500 miles in diameter to an altitude of over 2000 miles. This has nothing to do with Applicants' invention and there is no suggestion in either Hammack or Gilboa for combining the two references as the Examiner does. Applicants submit with all due respect, that the Examiner is engaging in improper hindsight reconstruction.

Applicants submit that the use of Hammack in this rejection is improper for the reasons stated above and, therefore, Gilboa alone is insufficient to render claims 1-7 obvious.

b. The Examiner has rejected claims 9-12 (sic-14?) under 35 USC 103(a) as being unpatentable over U.S. Patent No. 5,646,525 to Gilboa in view of U.S. Patent No. 5,307,072 to Jones, Jr. and U.S. Patent No. 3,996,590 to Hammack.

For the reasons stated above in Applicants' response to the Examiner's use of Hammack to reject claims 1-7, Applicants submit that the use of Hammack in this rejection is also improper and that, without Hammack, the rejection of claims 9-14 cannot

stand. Furthermore, and with all due respect, Applicants can find nothing in the entire Gilboa reference that discloses treating eddy currents generated in metal surfaces as virtual magnetic field transmitters as recited in claim 14.

c. The Examiner has rejected claim 8 under 35 USC 103(a) as being unpatentable over Gilboa in view of Hammack as applied to claim 1 and further in view of U.S. Patent No. 5,307,072 to Jones, Jr.

For the reasons stated above in Applicants' response to the Examiner's use of Hammack to reject claims 1-7, Applicants submit that the use of Hammack in this rejection is also improper and that, without Hammack, the rejection of claims ~~8-14~~⁸ cannot stand. FAC

CONCLUSION

In view of the above, Applicants submit that each of the presently pending claims in this application is in immediate condition for allowance. Reconsideration and withdrawal of the objection and rejections are requested. Allowance of claims 1-14 at an early date is solicited.

Respectfully submitted,

Francis A. Cooch

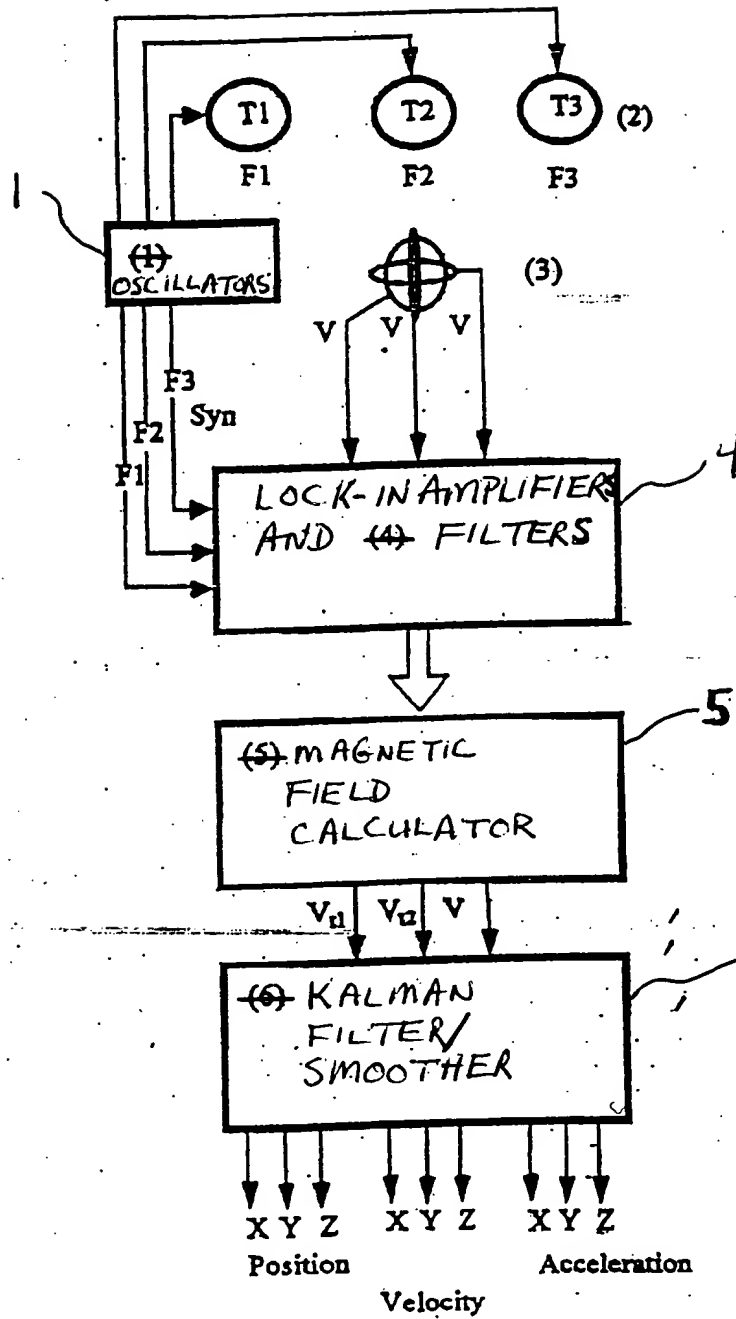
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Enclosures: One sheet of drawings – Fig. 4

Figure 4



Approved
CSG
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